

**To:** James Mullins  
**From:** Brown, Cynthia  
**Sent:** Mon 8/10/2015 2:35:43 PM  
**Subject:** RE: Working the REOC today

**Personal Email/Ex. 6**

Thanks, this is some great wording. I mentioned it to Althea and she asked me to forward it to her. Without the pic of course.

Are you in the Dallas area or sending emails from the beach?

Cynthia K. Brown

Removal Enforcement Coordinator

214-665-7480

Brown.cynthia@epa.gov

**From:** James Mullins  
**Sent:** Monday, August 10, 2015 9:25 AM  
**To:** Brown, Cynthia  
**Subject:** Re: Working the REOC today

**Personal Email/Ex. 6**

Ever notice the words "this is none of my business" are often followed by the word "but"????

Here is my "but" I was hoping to see something like the explanation below (if it fits). Share if you feel it is appropriate.

The majority of environmental cleanup work that EPA is involved with is "oversight of responsible parties" who are paying for and/or conducting the cleanup work. This oversight work may be conducted under any of several statutory

authorities. There are only a relatively few cleanups which EPA undertakes directly using the Agency resources.

The program in EPA that was responding to the Gold King Mine is viewed as a "last resort" and a "safety net". This program was started in 1980 and was specifically enacted to allow the EPA to respond directly to environmental emergencies when there was no readily identifiable financially viable or liable party to take necessary actions. Among the criteria for EPA to take direct response is a sense of imminent danger to the environment or to human health. This describes the Gold King Mine.

The Gold King Mine accumulation of acid mine water was not precisely known, but a threat of significant release was judged sufficient to trigger EPA taking a direct response action. Had EPA not responded, there would have been no timely or technically appropriate response by the owners and operators of the mine. EPA's concern was that if unaddressed by imposing engineering controls, there would be a significant release of acid mine water which would enter area streams and damage the environment. EPA proposed to physically access the accumulated body of contaminated water and treat it to acceptable standards with a metered rate of discharge. This type of engineering control has been used successfully with other acid mine drainage problems.

EPA mobilized its contractors to the site and was clearing a

blocked mine portal to access the contaminated water when the release initiated. It was similar to failure of an earthen dam which impounds a significant reservoir. Once the dam breeches, erosion becomes vigorous and accelerates at the breech point, and no engineering response is practical until the reservoir is empty.

follow with what is now on [osc.net](http://osc.net).

On Mon, Aug 10, 2015 at 8:15 AM, James Mullins <[Personal Email/Ex. 6](#)> wrote:

Two of my favorites! great pic! Thanks

I have seen many news clips about the release....the EPA is taking it in the neck....and no EPA spokesperson is providing the EPA side of the story.....need some spin control with the

media.....can you promote something like the following (supported by facts of course) EPA went to an ABANDONED mine (no financially viable owner responsible) anticipating a massive release of contaminated water to the Animas River.....if release had not been imminent EPA would not have responded. ....thing is it happened when EPA arrived and started trying to remedy the situation. Had EPA not showed up this result would almost certainly have been the outcome any way.....

I suggest that OSC.net is the right place to put the explanation.

On Mon, Aug 10, 2015 at 7:43 AM, Brown, Cynthia <[Brown.Cynthia@epa.gov](mailto:Brown.Cynthia@epa.gov)> wrote:

Hey Jim, look who showed up this weekend to help us with the Gold King Mine Release. David Crow.

**Nonresponsive**

**Nonresponsive**

Cynthia K. Brown  
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Respectfully  
Jim Mullins

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Jim Mullins